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DELIVER TO: Examiner Jerome Jackson Jr Art Unit 2815
COMPANY: United States Patent and Trademark Office
FAX NUMBER: (703) 872-9306
FROM: Ross Schmitt
DATE: April 15, 2004
TOTAL NO. OF PAGES (INCLUDING THIS PAGE): 4
SUBJECT : Response to Restriction Requirement
U.S. Application No. 10/600,521
Nguyen Xuan Nguyen
"A process for fabricating . . ."
Our Ref: B-3863NP 620845-2/AS

REMARKS:

Examiner Jackson:

Enclosed is a response to a restriction requirement mailed on March 17, 2004
consisting of:

Response to Restriction Requirement - 3 pages

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nguyen Xuan
Nguyen

Application No: 10/600,521

Filed: June 19, 2003

For: "A PROCESS FOR
FABRICATING ..."

) Group Art No.: 2815

) Examiner: Jackson Jr, Jerome

) Re: RESPONSE TO
) RESTRICTION REQUIREMENT
) Our Ref: B-3863NP
) 620845-2/AS

) Date: April 15, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Official Action dated March 17, 2004. Please enter the following amendments and remarks into the prosecution history of the subject application.

Remarks begin on page 2 of this paper.

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REMARKS

Claims 1-32 are in this application.

Restriction Requirement

In the Office Action of March 17, 2004 the Examiner asserts that the present application contains claims directed to two different groups, Group I (claims 1-16) and Group II (claims 17-32). As required under 35 USC § 121, the Applicant provisionally elects Group I claims 1-16.

However, the Applicant requests that the Examiner reconsider the requirement for restriction as discussed below.

The Applicant notes that 35 USC § 121 authorizes, but does not require, the USPTO to restrict an application to one invention if two or more independent and distinct inventions are claimed in one application. In view of the expense that would be imposed upon the Applicant by multiple patent applications and multiple patents, it is believed that restriction requirements should be issued only when absolutely necessary.

As such, reconsideration is respectfully requested and the Examiner is respectfully requested to withdraw the restriction requirement.

Additionally, the Applicant respectfully requests the Examiner to consider the merits of the Information Disclosure Statement (IDS) filed on March 18, 2004.

* * *

In view of the foregoing, the Applicant submits that claims 1-32 are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being
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Respectfully submitted,

April 15, 2004

(Date of Deposit)

Ross A. Schmitt

(Name of Person Depositing)

Ross A. Schmitt

Signature

4-15-2004

Date

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